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INTITLED

An Act to amend the Public Records (Ireland) Act, 1867, and to make provision for keeping safely Parochial Records in Ireland.

A.D. 1875.

WHEREAS the parish records and registries of baptisms, marriages, and burials, and other parochial records, books, and documents in the several parishes in Ireland are under the care of several persons, and many of them are kept in unfit and unsafe buildings :

And whereas doubts have arisen as to whether the said several records, registries, and parochial documents are public records within the meaning and for the purposes of the "Public Records (Ireland) Act, 1867:"

10 And whereas it is expedient to provide for the safe custody of the said records, registries, and parochial documents by the transfer thereof to the Public Record Office of Ireland, and to make such other provisions in relation thereto as are in this Act contained :

15 Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. This Act may be cited for all purposes as "The Public Records (Ireland) Act, 1867, Amendment Act, 1875."

Short title.

20 2. This Act shall extend to Ireland only.

Extent of Act.

3. The Public Records (Ireland) Act, 1867, and this Act shall be read and construed together as one Act.

Construction of Act.

4. In this Act—

25 The expression "parochial officer" shall be taken to mean any rector, vicar, curate, parish clerk, or other parish officer of the Church of Ireland, holding such office on the thirty-first day of December one thousand eight hundred and seventy, and any person who after the said date discharged, or at the present [Bill 233.]

Interpretation.

A.D. 1875.

time discharges, or who may hereafter discharge duties similar or analogous to the duties which such parochial officer then discharged :

The term "record" shall mean any diocesan or parochial record, minute of proceedings, paper, book, document, or registry, of 5 or relating to any baptism, marriage, burial, or ordination, or other diocesan or parochial matter of a public nature, which, on the thirty-first day of December one thousand eight hundred and seventy, was in the possession or custody of any parochial officer :

The expression "Master of the Rolls" shall mean the Master of the Rolls for the time being in Ireland :

The expression "Record Office" shall mean the Public Record Office of Ireland.

Records to be in custody of the Master of the Rolls. 30 & 31 Vict. c. 70. s. 4.

5. Every record shall, from and after the passing of this Act, 15 be under the charge and control of the Master of the Rolls, in the name and on behalf of Her Majesty, her heirs and successors, subject to the provisions relating to their care and custody hereinafter contained.

Custody and removal of records.

6. Any record which on the thirty-first day of December one 20 thousand eight hundred and seventy was in the custody and care of an ecclesiastical person incumbent of a benefice in the Church of Ireland shall continue in the custody and care of such person, provided that he now continues, and so long as he shall hereafter continue, to discharge the same or similar duties in the church or 25 chapel with which such record was connected. As to all other records, and also as to the said records, when such incumbent shall cease in such church or chapel to discharge the said duties, the Master of the Rolls shall, as soon as conveniently may be, issue warrants directed to the several persons having the care of any 30 record or records, ordering such persons to allow the same to be removed from its or their present place of custody, and deposited in the Record Office; and every such warrant shall be kept among the public records in the custody of the Master of the Rolls, and shall be a sufficient warrant for the removal of such record or 35 records as shall be specified therein.

7. In case, since the thirty-first day of December one thousand eight hundred and seventy, entries of marriages, baptisms, burials, or other matters shall have been continued in the same book which had been in use for the purpose before the said date, it shall be law- 40 ful for the Master of the Rolls to make a special order in relation to such book, and thereby to authorise the custody and care of such

book to be retained by any person whom he shall by such order authorise, and such person shall on accepting such custody and care be bound to take care thereof. A.D. 1875.

8. The removal of any record to the Record Office, by authority of the Master of the Rolls, shall not in any manner affect the authenticity or legal validity of such record; but any such record deposited in the Record Office, and there kept under the authority of the Master of the Rolls, shall be taken to be in its legal place of deposit, and every such record removed as aforesaid shall be of the same legal validity in all courts and proceedings in the same manner as if such record had not been removed. *Validity of records after removal.* 30 & 31 Vict. c. 70. s. 15.

9. The Master of the Rolls or Deputy Keeper of the Records may allow copies to be made of any of the said records at the request and costs of any person desirous of procuring the same; and any copy so made shall be examined and certified as a true and authentic copy by the Deputy Keeper of the Records, or by the Assistant Deputy Keeper of the Records, and shall be sealed or stamped with the seal of the Record Office, and delivered to the party for whose use it was made. *Power to make authentic copies of records, which shall be sealed.* 30 & 31 Vict. c. 70. s. 19.

10. Every copy of a record in the custody of the Master of the Rolls, certified as aforesaid, and purporting to be sealed or stamped with the seal of the Record Office, shall be received as evidence in any court of justice, and before any legal tribunal, and before either House of Parliament, or any committee of either House, without any further or other proof thereof, in every case in which the original record could have been received there as evidence. *Such copies, sealed with the seal of the Record Office, to be received in evidence.* 30 & 31 Vict. c. 70. s. 20.

11. Until removal to the Record Office pursuant to the provisions of this Act, every record shall remain in the custody and care of the parochial officer with whom it is at the time of the passing of this Act, and such officer shall, during such time, be bound to take care of same. *Record to remain in present custody until removed.*

12. Every parochial officer shall be bound to return to the Master of the Rolls a complete and true inventory of all records in his possession, custody, or care, in such form as the Master of the Rolls shall direct, within three months after he shall be directed so to do. *Parochial officers to make inventories.*

13. If any parochial officer shall neglect to furnish such inventory when so required, or do any other act in violation of the provisions and directions of this Act, he shall be guilty of contempt, and shall and may be proceeded against by order of the Master of the Rolls as if he had disobeyed a judicial order made by him in a cause. *Violation of the provisions of the Act a contempt.*

Public Records (Ireland)
Act, 1867, Amendment.
[H. 1.]

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INTRODUCED

An Act to amend the Public Records
(Ireland) Act, 1867, and to make
provision for keeping safely Perpetual
Records in Ireland.

(*Brought from the Lords 2 July 1876.*)

*Ordered, by The House of Commons, to be Printed,
2 July 1876.*

[Bill 288.]

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